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**SEP 25 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Rogers, et. al : DECISION ON PETITION  
Application No. 09/360,719 :  
Filed: July 27, 1999 :  
Docket No.: 0600/96760 :

This is a decision on the petition renewed under 37 C.F.R. § 1.137(b), filed August 1, 2006.

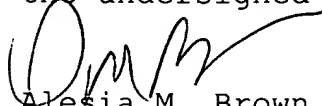
This application became abandoned February 24, 2006 for failure to timely submit a proper reply to the Notice of Allowance (Notice) mailed November 23, 2005. Notice of Abandonment was mailed April 14, 2006. The petition filed April 11, 2006 was dismissed May 5, 2006. A renewed petition was filed June 12, 2006 and dismissed July 17, 2006.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the Notice is accepted as having been unintentionally delayed.

This application will be forwarded to the Office of Patent Publication for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



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Office of Petitions